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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/758,480

01/11/2001

Joseph Wayne Forler

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9339

7590 04/22/2008  
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EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

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DELIVERY MODE

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte JOSEPH WAYNE FORLER and  
PATRICK JOHN KENNEDY DEIGHAN

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Application 09/758,480

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on March 28, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed December 4, 2006. It is not apparent from the record that the examiner considered the statement submitted or notified applicants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

An Order Returning Undocketed Appeal to Examiner was mailed on December 21, 2006 for the Information Disclosure Statement (IDS) filed December 4, 2006, but to date it has not been scanned into the IFW file. Appropriate correction is required.

Accordingly, it is

**ORDERED** that the application is being electronically returned to the Examiner for consideration of the Information Disclosure Statement filed December 4, 2006, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
DALE M. SHAW  
Chief Appeals Administrator  
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DMS/gjh

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